

Oroville Facilities Relicensing Collaborative Off-line Discussion
September 12, 2003
Sacramento

Meeting attendees: Cathy Hodges, Patrick Porgans, Eric Theiss, Rick Ramirez, Patti Kroen
With Ralph Torres, Steve Edmondson, Brett Joseph, Terry Mills, Ron Davis, Wade Hough,
Art Angle

Action Item #134: Off-line discussion (brainstorming) to clarify remaining issues and suggest solutions.
Responsible: Rick Ramirez/Facilitator/Patrick Porgans/Eric Theiss/Cathy Hodges
Due: September 23, 2003

I heard the following issues and potential solutions voiced during the discussion arranged around four primary issues (in bold):

Confidence in the ALP

Issue: Local participants distrust DWR. Consider study plans vague and their participation not welcome. Don't trust the data and feel the needs analysis will be biased.

Potential Solution: Strive for good faith effort

Potential Solution: More meetings to find solutions

Issue: Evolving approach that changes direction.

Potential Solution: Review and gain acceptance from the collaborative before changing approach

Meaningful Stakeholder Input

Issue: Process is biased. Local participants are not getting a fair hearing while some participants receive preferential treatment.

Potential Solution: More open approach that includes more meetings.

- Patrick calls for question to the Plenary: Is there meaningful input to the process afforded to all? Query the Plenary for expression of no confidence in the ALP. If so, expects to move to FERC dispute resolution process. If breakdown, then the ALP ends and the licensee reverts to a traditional process. If majority of Plenary participants wish to continue, then subset may take their issue to FERC for dispute resolution.

Cumulative Impact Analysis

Issue: Apparent shift in policy regarding development of additional study plans for cumulative impact analysis (said it would happen early in the process, now says no)

Potential Solution: Prepare a study plan to address cumulative impacts

Potential Solution: Analyze cumulative impacts without development of an additional study plan through the environmental assessment process.

Issue: Disconnect between what licensee perceives as project impact and what NOAA Fisheries perceives as impacts.

Potential Solution: Clarify specific information needed by NOAA from DWR

Potential Solution: Meet with NOAA to discuss approach and needs

Issue: Plenary is not aware of status of cumulative impact analysis

Potential Solution: Update the Plenary Group on Cumulative Impact Analysis Progress

Trails Baseline Studies

Issue: Changed use during relicensing without adequate hearing or consideration within the ALP process.

Issue: Change in trail use designation during the survey period is expected to affect baseline data and results.

Issue: Changed the dynamics of negotiation by providing one stakeholder (bikers) with what they wanted, removing their incentive to come to the table.

Issue: In violation of FERC directive to return the trails to prior designation pending FERC decision.

Potential Solution: Withdraw amendment to the existing license and return the trails to their prior designation through term of existing license.

Issue: ORAC feels it is being ignored at time when their input should be sought.

Potential Solution: Identify new DWR representative and re-schedule regular meetings.